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Subject: Think Progress: After public outcry, North Carolina governor delays decision on Atlantic Coast pipeline

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Samantha Page

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North Carolina has delayed issuing a Clean Water Act permit to a pipeline developer, saying the state needs more information to evaluate the project, which has come under fire from residents and environmentalists along the proposed route.

The state's Department of Environmental Quality (DEQ) was required to rule on the Atlantic Coast Pipeline permit application by Monday, following months of review and a public comment period that left the state with thousands of letters opposing the massive project.

“We applaud Governor Cooper and DEQ for listening to North Carolinians and requiring Duke Energy and Dominion to provide more information so the state can thoroughly examine the water impacts that the Atlantic Coast Pipeline would have on our communities,” the Sierra Club’s Kelly Martin said in a statement.

In a letter sent Thursday by the North Carolina water quality chief to the developer of the Atlantic Coast Pipeline, the state said that in order to receive the permit, the company would have to submit more documentation about its plans to cross waterways along the pipeline’s proposed 600-mile route from the Marcellus basin to North Carolina.

The letter outlined nearly three pages of documentation still needed, including plans for restoring streams, monitoring sediment changes, and analysis of cumulative impacts from the project on waterways. The proposed pipeline would cross more than 1,000 streams. It would also run along 38 miles of Appalachian ridgeline as it carries 1.44 billion cubic feet of natural gas per day from West Virginia to North Carolina.

The developers have 30 days to respond to the letter, which also delays North Carolina’s decision on the project.

The pipeline’s developers have been pushing hard to get the project approved, even while questions remain about whether it is needed or will benefit any of the communities it passes through.

Late last week, executives from Dominion Energy, Duke Energy, and Southern Company Gas, who are partners in the project, petitioned the Federal Energy Regulatory Commission (FERC) to speed up federal approval of the \$5.2 billion pipeline.

Environmentalists were furious at what they saw as an attempt to overwhelm local concerns.

“This last-minute request by the corporations behind the ACP is a blatant attempt to evade Virginia’s regulatory process and ram the approval of this pipeline through, especially as community opposition continues to grow,” Lewis Freeman, chair and executive director of the Allegheny Blue-Ridge Alliance, said in a statement.

Freeman pointed out that Virginia’s water regulator has not considered the project yet, and said the letter “raises serious questions about the motivation behind the ACP partners’ push to rush the process—whether it’s to undermine the Water Board, silence impacted community members, or sweep the widespread environmental, health, and safety risks under the rug.”

FERC’s final environmental impact statement, which is required under the National Environmental Policy Act, was “woefully inadequate” Freeman alleged earlier this year, when the statement was released.

Even if FERC approves the project, however, developers still need to obtain approval from the states to build. Virginia is currently considering issuing a water quality permit. Under the Clean Water Act, states must certify that projects will not will violate “effluent limitations, new source performance standards, toxic pollutants restrictions, and other water resource requirements.”

In addition to farmers and environmentalists, community justice organizations have also criticized the ACP plan. In North Carolina, a disproportionate number of Native Americans — some 30,000 people — live along the proposed pipeline route. The pipeline will go through “almost every single contemporary and historical native community between western Virginia all the way down to southeastern North Carolina,” Fix Cain, a member of the Skaroreh Katenuaka Nation, told ThinkProgress last month.

Meanwhile, the American Gas Association, a trade organization, launched an “astroturf” group — a public relations effort designed to look like grassroots support — to boost the project’s profile. The group, Your Energy, is specifically against climate activists who think fossil fuels should remain in the ground.

Much of the local opposition to the project, though, is due to the air and water quality risks the pipeline poses to residents.

The Atlantic Coast Pipeline isn't the only major natural gas pipeline project facing local opposition. Earlier this week, West Virginia reversed its own issuance of a clean water permit for the Mountain Valley Pipeline, a 300-mile natural gas pipeline proposed to run from West Virginia to Virginia. In that case, as well, environmentalists focused on concerns that cutting through waterways would negatively impact local water quality.